IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

APPLIED CAPITAL, INC.,	
Plaintiff,	**Civil Action No. 6:22-cv-00304**
v.	**JURY TRIAL DEMANDED**
MOTOROLA SOLUTIONS, INC.,	
Defendant.	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Applied Capital, Inc. ("ACI") files this Original Complaint alleging patent infringement by Motorola Solutions, Inc. ("Defendant") and makes the allegations set forth in ¶¶ 1-74.

I.   THE PARTIES

1.   Applied Capital, Inc. ("Plaintiff" and "ACI") is a private, commercial lender. For more than 20 years, ACI has provided technology start-ups and other operating businesses with working capital needed to operate and grow. ACI provides accounts receivable financing and purchase order financing to operating businesses as an alternative to a traditional bank line of credit. ACI is incorporated under the laws of the State of New Mexico and has a principal place of business at 1508 Plaza Encantada NW, Albuquerque, New Mexico 87107. ACI was founded in 1998 by Jim Scott, who continues to own the company today.

2.   ACI is the assignee and exclusive owner of the asserted patents, U.S. Patent Nos. 8,378,817 ("'817 patent") and 9,728,082 ("'082 patent"), which claim priority to and incorporate two provisional applications (SN 61/147,948 filed on January 28, 2009 and SN 61/228,044 filed on July 23, 2009) and incorporate an appendix (APPENDIX A). APPENDIX A was submitted as an appendix to the specification of the provisional application filed July 23,

2009. Both provisional applications disclose "iLinkx," a specific embodiment of the invention which enables enhanced situational awareness by providing first responders with a graphical, event-based, intuitively organized, map-based view of an unfolding situation using "superimposed visual indicators," "hierarchically organized graphical images," and "vector based graphical images."

3.   Defendant Motorola Solutions, Inc., the successor-in-interest to Motorola, Inc., ("Motorola" or "Defendant") is a publicly-traded company, and, at least since 2016, Defendant has marketed, distributed, and encouraged use of certain cloud-based applications and services that gather alarms and other location-based information from multiple data sources and systems and organizes it on a real-time map for display in the command center or on mobile devices in the field. Since as early as 2016, Defendant has marketed the functionality under the name "CommandCentral Inform" and within an offering called "CommandCentral Aware." CommandCentral Aware and CommandCentral Inform are built to work together seamlessly. Both are built on the CommandCentral Platform, which processes incoming data in under a second and delivers it in real-time.

4.   Defendant's CommandCentral Inform provides a layered, geospatial map-based view in which users can see events like computer-aided dispatch (CAD) incidents and sensor alarms alongside resource locations like personnel and cameras, and users can click or tap icons to view additional information associated with each event or resource on the map. This includes things like incident details from a CAD event, video attachments, or status readings from a sensor. Information that users are able to see can be restricted by role or by team. CommandCentral Inform is accessible by a web browser on any computer and from any tablet or smartphone running Android or iOS systems. CommandCentral Aware is designed for the command center and

integrates the layered, geospatial map-based view into a console with real-time streaming video and native console communications. Figure 1.F1 below summarizes pertinent features of CommandCentral Inform.

Figure 1.F1
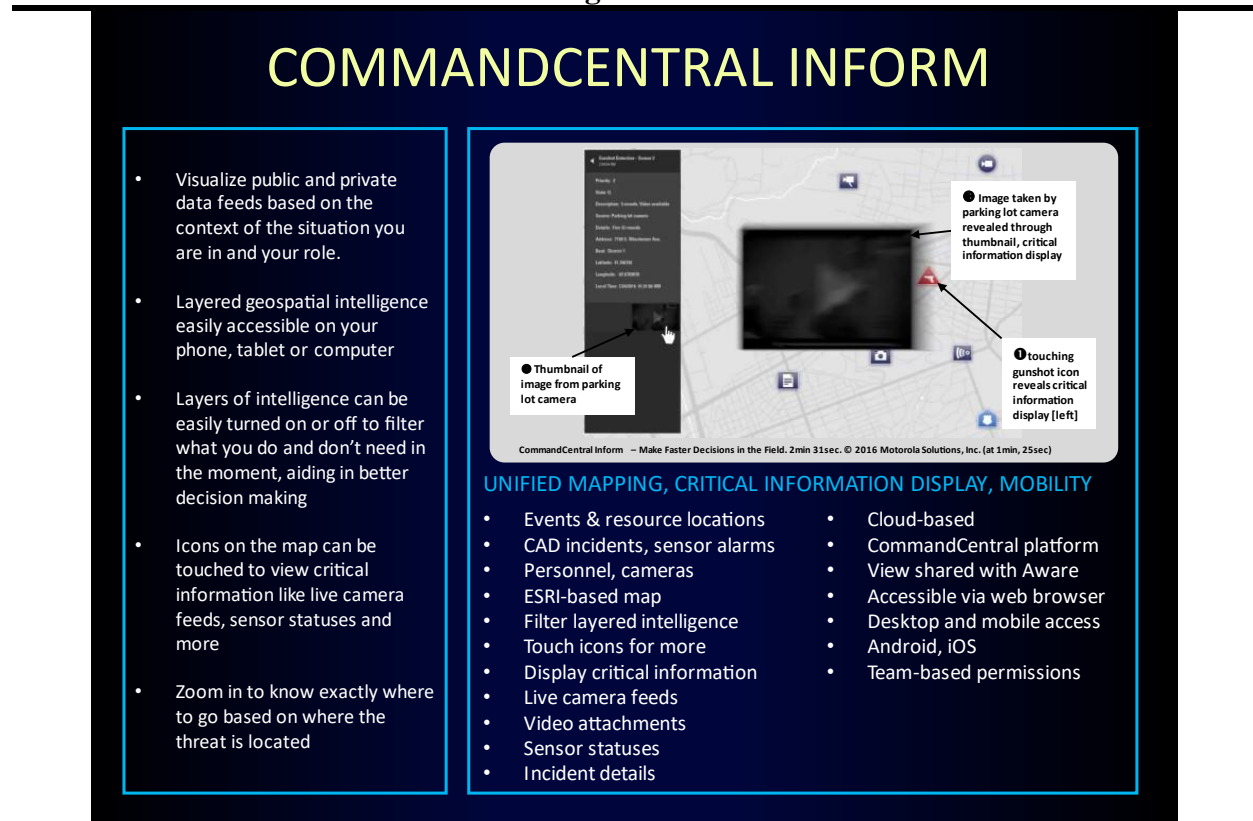
5.   At one or more times since July of 2016 and continuing today, Defendant has taken (a) one or more actions to market, distribute, and sell CommandCentral Inform and CommandCentral Aware in the United States, Texas, and one or more counties in this District and (b) one or more actions to encourage others (e.g. third-party channel partners, end-user customers) to market, distribute, sell, or use CommandCentral Inform and CommandCentral Aware in the United States, Texas, and one or more counties in this District.

6.   Defendant has over 100,000 public safety and commercial customers. On information and belief, the Dallas Police Department is, and at one or more times since as early as

2019, an end-user of one or more of Defendant's CommandCentral applications, including CommandCentral Aware. Portions of the City of Dallas and the jurisdiction of the Dallas Police Department lie within Collin County, Texas and Denton County, Texas and within this District. In connection with actions to market, distribute, sell, and encourage others to market, distribute, sell, and use CommandCentral Inform and CommandCentral Aware in the United States, Texas, and one or more counties in this District, Defendant has entered into contractual agreements and provided demonstrations, instructions, instruction manuals, datasheets, case studies, user guides, quick reference guides, technical reference manuals, technical assistance, training, promises, and discounts to end users, third-party channel partners, and others.

7.   Defendant owns 138,000 square feet of space in Collin County, Texas, within this District, and has used, uses, or has used and continues to use, property in Allen, Texas, for manufacturing and distribution and corporate administrative purposes. On information and belief, personnel based in Defendant's Allen, Texas, space are involved in selling, marketing, and supporting end-customer use of Defendant's computer-aided dispatch and intelligence-led public safety solutions, including, for example, CommandCentral Inform and CommandCentral Aware. In addition to owning about 138,000 square feet of property in the city of Allen, Texas, Defendant leases about 136,000 square feet of property in the city of Richardson, Texas, and uses the property for manufacturing and distribution purposes. Limitations on or closures of Defendant's manufacturing facilities and distribution centers in Texas could have a material adverse impact on its ability to manufacture products and service customers. As the successor-in-interest to Motorola, Inc., Defendant changed its name from Motorola, Inc. to Motorola Solutions, Inc. in 2011, and has been registered to do business in the State of Texas since 1973. Defendant may be served with

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process through its registered agent CT Corp System at 1999 Bryan Street, Suite 900, Dallas, Texas

75201-3136.

II.   JURISDICTION AND VENUE

8.   This Court has jurisdiction over the subject matter of this dispute. 28 U.S.C.

§§ 1331, 1338(a); 35 U.S.C. § 1, *et seq*. This Court has personal jurisdiction over Defendant. *See,*

supra, ¶¶ 4-9. Venue is proper in this District. *See, supra*, ¶¶ 4-9.

9.   The claims of the '817 patent and '082 patent are presumed to be valid. ACI alleges

that the claims of the '817 patent and '082 patent are directed to patentable subject matter, novel,

nonobvious, definite, supported by an adequate and complete and enabling written description,

and that the claims are enforceable. ACI alleges, among other things, that (i) ACI is the assignee

and exclusive owner of all right, title and interest in the '817 patent and the '082 patent and thus,

has standing to sue for infringement of such patents; (ii) Defendant has infringed and actively

induced infringement of valid claims of the '817 and '082 patents, including claims 1, 11, 12, 13,

and 14, in violation of at least 35 U.S.C. §§ 271(a) and (b); and that (iii) ACI is entitled to damages

under 35 U.S.C. § 284.

10.   Further, at or about the time this Complaint was filed, in support of the allegations

in this Complaint, ACI filed with this Complaint, a set of exhibits (Exhibits A to Q) numbered

AC001-AC317. The exhibits consist of fair and accurate copies of: (a) the '817 patent (Ex. A,

AC001-AC022); (b) the '082 patent (Ex. B, AC023-AC045); (c) the image file wrapper

corresponding to and including the provisional application filed January 28, 2009 (Ex. C, AC046-

AC061); (d) the image file wrapper corresponding to and including the provisional application

filed July 23, 2009 (Ex. D, AC062-AC127), which includes appendix "APPENDIX A" (Ex. D at

AC076-AC127); (e) a press release published by Defendant on or about June 16, 2014 (Ex. E,

AC128); (f) a solutions brief published by Defendant in or about 2015 (Ex. F, AC129-AC136); (g) an RFI response, reference no. 16-PS-66610, prepared or delivered by Defendant on or about February 15, 2016 (Ex. G, AC137-AC210); (h) a data sheet published by Defendant in or about 2017 (Ex. H, AC211-AC212); (i) a data sheet published by Defendant in or about 2018 (Ex. I, AC213-AC214); (j) a press release published by Defendant on or about April 10, 2019 (Ex. J, AC215-AC216); (k) a signed proposal, reference No. 20-105986, delivered by Defendant to the Chula Vista Police Department on or about September 16, 2020 (Ex. K, AC217-AC267); (l) August 7, 2019 opinion in *Applied Capital, Inc. v. The ADT Corporation et al.*, No. 1:16-CV-00815, 2019 WL 3719099 (D.N.M. Aug. 7, 2019) (Ex. L, AC268-AC273); (m) December 11, 2012 Notice of Allowance in SN 12/695,373 (prosecution of '817 patent) (Ex. M, AC274-AC290); (n) January 1, 2018 Decision Denying Institution in IPR2017-01825 (Ex. N, AC291-AC308); (o) March 15, 2018 Decision Denying Rehearing Request in IPR2017-01825 (Ex. O, AC309-AC315); (p) a video titled "CommandCentral Inform – Make Faster Decisions in the Field," having a runtime of about two minutes and thirty-one seconds and containing the text "© 2016 Copyright Motorola Solutions, Inc. All rights reserved" on its final screen (Ex. P, AC316); and (q) a video titled "CommandCentral Aware – Real-Time Situational Intelligence – Quick Demo," having a runtime of about four minutes and thirty-three seconds and displaying the text "© 2020 Copyright Motorola Solutions, Inc. All rights reserved" beginning at about the four minute twenty-three second mark (Ex. Q, AC317).

11.   In view of each allegation set forth in each of the paragraphs that precede and follow this paragraph, this Court has jurisdiction over the subject matter of this dispute and personal jurisdiction over Defendant, and venue is proper in this District.

III.   iLINKX AND THE NEED FOR ENHANCED SITUATIONAL AWARENESS

12.   Following the attacks of September 11, 2001, Rodney W. Fox, named inventor of the '817 and '082 patents and a former security systems installer, recognized a need for first responders to remotely view incidents as they unfold to better inform first responders on the ground upon arrival.

13.   By 2009, out of this recognition and other factors, Mr. Fox had developed a cloud-based service and application he called "iLinkx." On January 28, 2009, on behalf of Rodney Fox, James Rutler filed a provisional application (SN 61/147,948, attorney docket number ILNX-1-1001) disclosing one or more aspects of iLinkx. On July 23, 2009, Mr. Rutler filed a second provisional application (SN 61/228,044, attorney docket number ILNX-1-1002) disclosing additional aspects of iLinkx.

14.   The information below the heading Excerpt 3.E1 in this paragraph is part of the January 2009 provisional and is included on page AC053 of Ex. C.

Excerpt 3.E1

iLinkx is your connection to critical information
Use your existing network connection and unleash the power to display critical information as it occurs, in real time with just a few simple clicks. *iLinkx* is ideal for Authorities, Management, and other First Responders. It's a useful tool for conducting maintenance or code compliance testing. Today's technology offers mobility and *iLinkx* has made that mobility affordable. So the next time you receive a critical signal, simply make a few simple clicks and display it, because life can change in the blink of an *i*

YOU ARE HERE   Fire Alarm Plan – Main Level
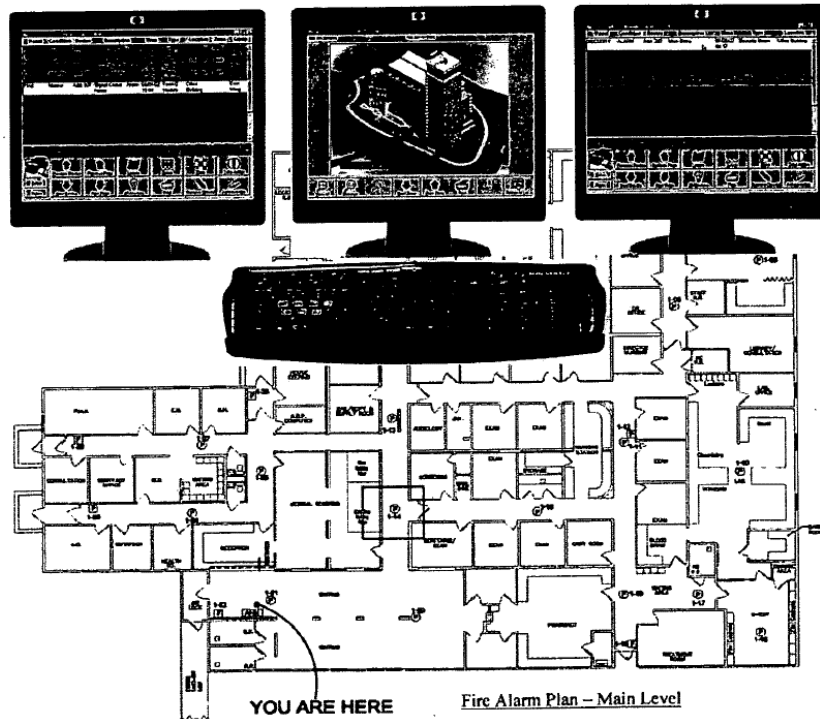
15.　　　As reflected on page AC053 of Ex. C, the January 2009 provisional includes a page that includes bold face text that reads "*iLinkx is your connection to critical information*." The lower half of the same page includes a graphic of a floorplan arranged above underlined text that reads "Fire Alarm Plan – Main Level." In the background, the floorplan depicts multiple rooms, multiple corridors, and circular icons or symbols in multiple corridors. A rectangle with a heavy border with no inner fill is arranged in the foreground such that its heavy border appears to encase one of the circular icons or symbols depicted in the corridor that is positioned slightly to the left of the approximate middle of the floorplan and that is oriented such that its longest sides run parallel to the long edge of the page.
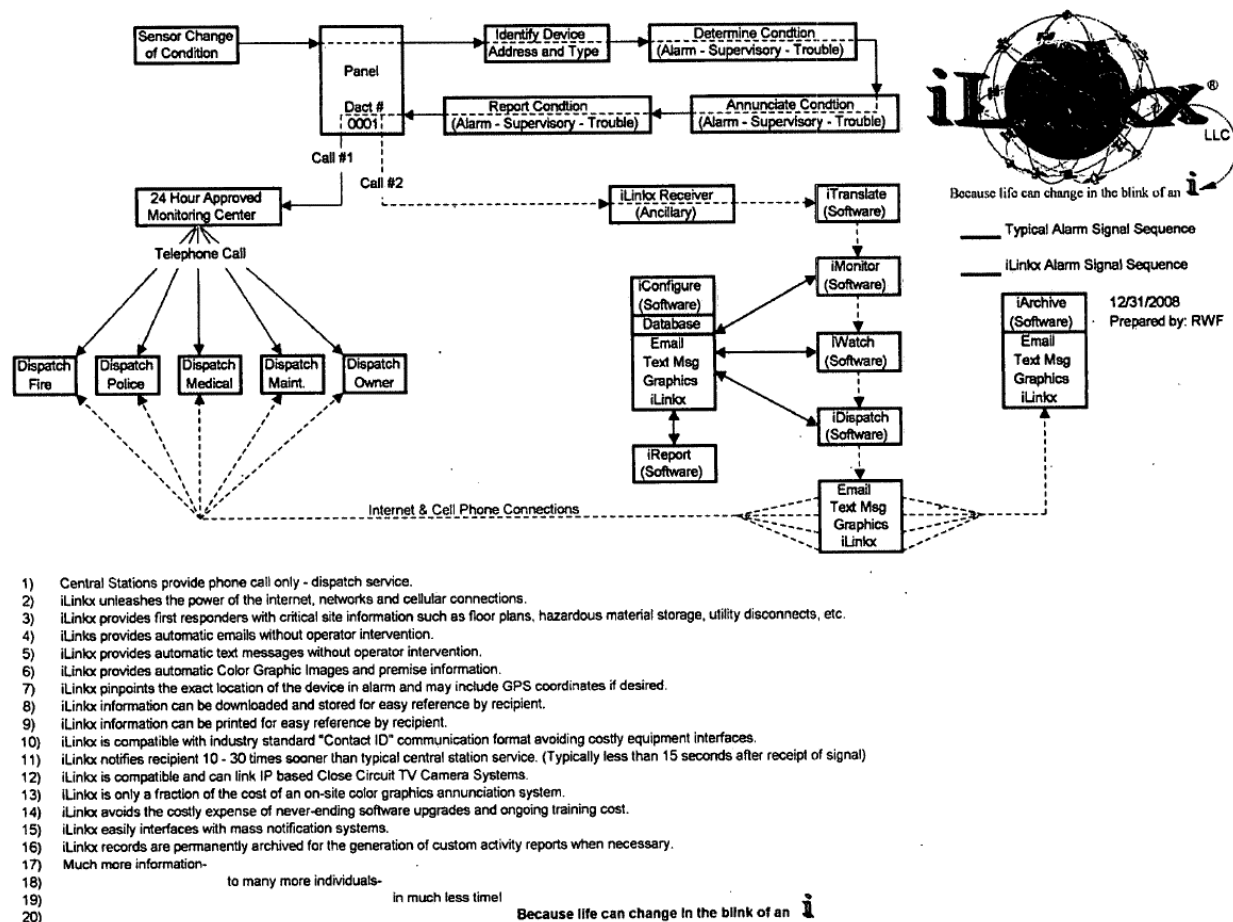
16.   As reflected on page AC053 of Ex. C, in the space above the floorplan graphic and below the "***iLinkx is your connection to critical information***" heading, the same page of the January 2009 provisional states: "Use your existing network connection and unleash the power to display critical information as it occurs, in real time with just a few simple clicks. ***iLinks*** [*sic*] is ideal for Authorities, Management, and other First Responders. It's a useful tool for conducting maintenance or code compliance testing. Today's technology offers mobility and ***iLinkx*** has made that mobility affordable. So the next time you receive a critical signal, simply make a few simple clicks and display it, because life can change in the blink of an i[.]"

17.   As reflected on page AC054 of Ex. C, under a heading or subheading that reads "***Contact ID Reporting Format***," the next page of the January 2009 provisional includes the following text: "iLinkx, accepts signals from existing systems without the need of additional equipment. Information is processed in an ancilliary [*sic*] form and is automatically distributed to approved users via iLinkx based text messages & emails. Display, print and share that critical signal information with just a few simple clicks."

18.   The information below the heading Excerpt 3.E2 in this paragraph is part of the January 2009 provisional and is included on page AC056 of Ex. C.

Excerpt 3.E2

iLinkx Flow Diagram

1) Central Stations provide phone call only - dispatch service.
2) iLinkx unleashes the power of the internet, networks and cellular connections.
3) iLinkx provides first responders with critical site information such as floor plans, hazardous material storage, utility disconnects, etc.
4) iLinks provides automatic emails without operator intervention.
5) iLinkx provides automatic text messages without operator intervention.
6) iLinkx provides automatic Color Graphic Images and premise information.
7) iLinkx pinpoints the exact location of the device in alarm and may include GPS coordinates if desired.
8) iLinkx information can be downloaded and stored for easy reference by recipient.
9) iLinkx information can be printed for easy reference by recipient.
10) iLinkx is compatible with industry standard "Contact ID" communication format avoiding costly equipment interfaces.
11) iLinkx notifies recipient 10 - 30 times sooner than typical central station service. (Typically less than 15 seconds after receipt of signal)
12) iLinkx is compatible and can link IP based Close Circuit TV Camera Systems.
13) iLinkx is only a fraction of the cost of an on-site color graphics annunciation system.
14) iLinkx avoids the costly expense of never-ending software upgrades and ongoing training cost.
15) iLinkx easily interfaces with mass notification systems.
16) iLinkx records are permanently archived for the generation of custom activity reports when necessary.
17) Much more information-
18)   to many more individuals-
19)   in much less time!
20)   Because life can change in the blink of an i

19.   As reflected on page AC056 of Ex. C, the January 2009 provisional includes a page

that includes a diagram below the label "iLinkx Flow Diagram" followed by about twenty

numbered lines containing various statements. In the diagram, there is a block labeled "Sensor

Change of Condition," a block labeled "Panel," a block labeled "24 Hour Approved Monitoring

Center," and a block labeled "iLinkx Receiver (Ancillary)." The Panel block includes the text

"Dact #" directly above the text "0001," directly above the Panel block's bottom edge. The

diagram depicts blocks labeled "iTranslate (Software)," "iMonitor (Software)," "iWatch

(Software)," "iDispatch (Software)," and "iConfigure (Software)," "iReport (Software)," and

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"iArchive (Software)." The diagram depicts a block labeled "Database," as well storage containers, and a transmission container, containing the text "Email," "Text Msg," "Graphics," and "iLinkx."

20.   As reflected on page AC056 of Ex. C, below the iLinkx Flow Diagram on the same page of the January 2009 provisional, there is additional text, including the following statements: "1) Central Stations provide phone call only – dispatch service."; "2) iLinkx unleashes the power of the Internet, networks and cellular connections."; "3) iLinkx provides first responders with critical site information such as floor plans, hazardous material storage, utility disconnects, etc."; "4) iLinks [*sic*] provides automatic emails without operator intervention."; "5) iLinkx provides automatic text messages without operator intervention."; "6) iLinkx provides automatic Color Graphic Images and premises information."; "7) iLinkx pinpoints the exact location of the device in alarm and may include GPS coordinates if desired."; "8) iLinkx information can be downloaded and stored for easy reference by recipient."; and "9) iLinkx information can be printed for easy reference by recipient."

21.   As reflected on page AC056 of Ex. C, further below the iLinkx Flow Diagram on the same page of the January 2009 provisional, there is additional text, including the following statements: "10) iLinkx is compatible with industry standard 'Contact ID' communication format avoiding costly equipment interfaces."; "11) iLinkx notifies recipients 10 – 30 times sooner than typical central station service. (Typically less than 15 seconds after receipt of signal)."; "12) iLinkx is compatible and can link IP based Close Circuit TV Camera Systems."; "13) iLinkx is only a fraction of the cost of an on-site color graphics annunciation system."; "14) iLinkx avoids the costly expense of never-ending software upgrades and ongoing training cost."; "15) iLinkx easily interfaces with mass notification systems.;" and "16) iLinkx records are permanently archived for the generation of custom activity reports when necessary."

IV.   THE '817 PATENT AND THE '082 PATENT

22.   The '082 patent is a continuation of the '817 patent. The '082 patent issued on

August 8, 2017, from application No. 13/767,580, which was filed on February 14, 2013 (the

"'082 patent application"). The '817 patent issued on February 19, 2013, from application

No. 12/695,373, which was filed on January 28, 2010 (the "'817 patent application"). The

'817 patent application was published on February 10, 2011, as No. US 2011/0032109, and the

'082 patent application was published on June 20, 2013, as No. US 2013/0154805.

23.   Both patents are titled "Premises Monitoring System," disclose the same ten figures

(FIGS. 1-10) and incorporate appendix (APPENDIX A), filed with the July 23, 2009 provisional.

The '817 patent recites only method claims, while the '082 patent recites claims directed to

computer code and a computerized system. The text of the claims of the '082 patent is on pages

AC044-AC045 of Ex. B.

24.   Independent claim 1 of the '082 patent recites:

> 1. A non-volatile and non-transient computer-readable medium
> comprising machine-executable code comprising:
>
> code receiving one or more signals containing a device identifier and
> a device condition from one or more remote alarm monitoring
> systems; code retrieving enhanced information based on the device
> identifier and the device condition; code determining one or more
> communication methods and communication destinations based on
> the device identifier and the device condition; and code dispatching
> the enhanced information to the one or more communication
> destinations using the one or more communication methods; and
> wherein the retrieving enhanced information based on the device
> identifier and the device condition comprises retrieving images
> based on the device identifier and the device condition, the images
> comprising all of the members selected from the group consisting of
> superimposed visual indicators, hierarchically organized graphical
> images, and vector-based graphical images.

25.   Claim 11 of the '082 patent depends from claim 1 of the '082 patent and recites:

> The medium of claim 1, wherein the code determining one or more
> communication methods and communication destinations based on
> the device identifier and the device condition comprises code

determining one or more communication methods of email, text message, instant message, website link, phone, and mail based on the device identifier and the device condition.

26.   Claim 12 of the '082 patent depends from claim 1 of the '082 patent and recites:

The medium of claim 1, wherein the code determining one or more communication methods and communication destinations based on the device identifier and the device condition comprises code determining one or more device communication destinations of a personal computer, a phone, a mobile device, a display, and a custom device based on the device identifier and the device condition.

27.   Claim 13 of the '082 patent depends from claim 1 of the '082 patent and recites:

The medium of claim 1, wherein the code determining one or more communication methods and communication destinations based on the device identifier and the device condition comprises code determining one or more entity communication destinations of an authority, a first responder, a service company, an owner, a manager, a staff, an occupant, a supplier, a customer, a neighbor, and a custom entity based on the device identifier and the device condition.

28.   Claim 14 of the '082 patent depends from claim 1 of the '082 patent and recites:

The medium of claim 1, wherein the code dispatching the enhanced information to the one or more communication destinations using the one or more communication methods comprises code dispatching the enhanced information automatically without requiring operator intervention to the one or more communication destinations using the one or more communication methods.

29.   Independent claim 17 of the '082 patent recites:

A computerized system comprising

a central monitoring system receiving one or more signals containing a device identifier and a device condition from one or more remote alarm monitoring systems, retrieving enhanced information based on the device identifier and the device condition, determining one or more communication methods and communication destinations based on the device identifier and the device condition, and dispatching the enhanced information to the one or more communication destinations using the one or more communication methods, wherein the enhanced information based on the device identifier and the device condition comprises images based on the device identifier and the device condition, the images comprising all of the members selected from the group consisting of superimposed visual indicators, hierarchically organized graphical images, and vector-based graphical images.

30.   As reflected on page AC062 of Ex. D, ¶ [0002] of the July 2009 provisional states: "APPENDIX A provides a specific example of one particular embodiment of the invention disclosed herein."

31.   As reflected on page AC063 of Ex. D, ¶ [0004] of the July 2009 provisional states "In some embodiments, the system receives a signal, identifies a field device, obtains critical information associated with the field device, automatically dispatches a text message containing the critical information, and automatically dispatches an email having text and/or color graphical images/PDF documents containing the critical information, and automatically archives data relating to the signal and dispatch of the critical information. Accordingly, the system can reduce response time by promptly providing critical information to a first responder."

32.   As reflected on page AC110 of Ex. D, APPENDIX A of the July 2009 provisional states: "The system application software shall support multiple hierarchical graphic images creating important instruction and/or images: In an emergency situation, multiple hierarchical graphics shall provide the dispatchers with the most accurate and efficient method of understanding the physical situation of an event. This approach to graphical file presentation shall be full dynamic and not put any additional burden on the operator to manage a graphics environment while in the midst of managing with mission critical events."

33.   As reflected on page AC110 of Ex. D, APPENDIX A to the July 2009 provisional states: "The system shall support multiple graphic file formats. Files shall be attached to an incoming alarm and linked in a hierarchy so navigation, can be performed by the operator. This shall enable the system to receive an alarm and automatically display a street map and/or subsequent graphics of the building, wing, floor, room, and finally to the device icon."

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34.   As reflected on page AC015 of Ex. A, at column 5, line 1 to column 5, line 9, the '817 patent specification states: "A superimposed meaningful audio and/or visual indicator may include one or more icons or one or more designators superimposed on a map, picture, floor plan, and/or site plan to illustrate or instruct regarding device type, device position, condition type, hazardous material position, emergency exit position, stairwell position, pathway position, handicap safe area, extinguisher position, hydrant position, stand pipe position, utility disconnect position, and/or the like."

35.   As reflected on page AC015 of Ex. A, at column 5, line 9 to column 5, line 10, the '817 patent specification states: "A superimposed meaningful audio and/or visual indicator may be customizable, blinkable, and/or color-codable."

36.   As reflected on page AC015 of Ex. A, at column 5, line 10 to column 5, line 18, the '817 patent specification states: "As a specific example, in some embodiments, one or more premises monitoring systems 1004 may retrieve enhanced information from one or more data stores 302 including a floor plan having a superimposed icon illustrating device type and device position relative to the floor plan and superimposed indicators highlighting pathways, stairwells, hazardous material positions, and utility disconnects, all of which may be tailored to the device identifier and/or the device condition."

37.   As reflected on page AC015 of Ex. A, at column 5, line 39 to column 5, line 41, the '817 patent specification states: "A hierarchically organized graphical image may include any group of graphical images arranged relative to one another and/or accessible through one another."

38.   As reflected on page AC015 of Ex. A, at column 5, line 41 to column 5, line 45, the '817 patent specification states: "As a specific example, in some embodiments, a hierarchically

organized graphical image may include a camera feed from a room of a device accessible from a floor plan accessible from a site plan accessible from a map."

39.   As reflected on page AC017 of Ex. A, at column 10, line 62 to column 10, line 66, the '817 patent specification states: "A device communication destination of a personal computer may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a personal computer."

40.   As reflected on pages AC017-AC018 of Ex. A, at column 10, line 66 to column 11, line 2, the '817 patent specification states: "A device communication destination of a phone may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a phone."

41.   As reflected on page AC018 of Ex. A, at column 11, line 2 to column 11, line 5, the '817 patent specification states: "A device communication destination of a mobile device may include sending enhanced information, via email, text message, instant message, website link, phone, and/or mail to a mobile device."

42.   As reflected on page AC018 of Ex. A, at column 11, line 5 to column 11, line 8, the '817 patent specification states: "A device communication destination of a display may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a display."

43.   As reflected on page AC018 of Ex. A, at column 11, line 8 to column 11, line 11, the '817 patent specification states: "A device communication destination of a tablet may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a tablet."

44.   As reflected on page AC018 of Ex. A, at column 11, line 11 to column 11, line 14, the '817 patent specification states: "A device communication destination of a laptop may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a laptop."

45.   As reflected on page AC018 of Ex. A, at column 11, line 17 to column 11, line 20, the '817 patent specification states: "A device communication destination of a custom device may include sending enhanced information via email, text message, instant message, website link, phone, and/or mail to a custom device."

46.   As reflected on page AC018 of Ex. A, at column 12, line 6 to column 12, line 9, the '817 patent specification states: "An authority entity communication destination may include one or more police officers, security officers, government employees and/or officials, or the like. A first responder entity communication destination may include one or more emergency personnel, fire personnel, medical personnel, or the like."

V.   DEFENDANT'S COMMANDCENTRAL INFORM AND AWARE PRODUCTS

47.   On or about June 16, 2014, Defendant published a press release titled "Motorola Solutions' Intelligent Data Portal Gives First Responders in the Field Instant Access to Enhanced Situational Awareness" (the "June 16, 2014 Press Release"). A fair and accurate copy of the June 16, 2014 Press Release is included in Ex. E at AC128.

48.   The June 16, 2014 Press Release repeats the following words attributed to Tim Boyle: "Motorola Solutions' Intelligent Data Portal displays an up-to-the minute view of location-based alerts and events such as shots fired, current weather conditions and fire alarms to give users active, strategic and on-demand information." At the time, Tim Boyle was employed by Defendant

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in the role of Vice- President, Application Products and Solutions, Motorola Global Solutions and

Services.

49. The June 16, 2014 Press Release contains the following statements:

The new Intelligent Data Portal from Motorola Solutions, Inc. (NYSE:MSI) can help public safety agencies and commercial services that need a simple way to access their data in the field from multiple databases across different mobile devices and networks. Intelligent Data Portal is a mobile, cloud-based application that gathers contextual information from existing databases. It then organizes and maps it using role-based layers to show the location and context of people, resources, events and developing situations. Users in the field can see near real-time updates of data from sensors, surveillance cameras and other events to provide warnings of escalating and evolving situations.

Motorola is launching this end-to-end solution with technology from five vendors using one simple interface to help give Intelligent Data Portal users full visibility to information that can influence decision making in the field. AccuWeather uses real-time, high-resolution radar to track local storms, lightning strikes, wildfire reports, hurricanes and other environmental factors along with watches and warnings issued by the National Weather Service. Blueforce Tactical provides a secured exchange of information, giving users a shared awareness and extended presence of people, sensors and services. Drakontas' DragonForce Team Collaboration application provides real-time personnel tracking, text messaging, reporting and collaborative whiteboarding on maps and images for tactical planning. Intrado Beware® provides advanced information on people, places and things and dramatically increases first responder safety by alerting them to potentially dangerous situations while en route or at the location of a scene. The Omega Group's CrimeView Dashboard, which operationalizes a public safety agency's command process from priority identification to patrol design, has been enabled to make its incident, offender and mission-critical data available to field personnel through Intelligent Data Portal's interactive map display. Motorola is also actively collaborating with new vendors to deliver services for future releases of Intelligent Data Portal.

Motorola's Intelligent Data Portal enables officers, incident commanders and investigators to access critical information from multiple data bases and provides a single, easy-to-use interface for one operating view. Information can also be shared with other agencies and across jurisdictions.

The mobile application integrates with existing computer-aided dispatch (CAD) systems and the browser-based software is compatible with in-vehicle workstations, smart phones and tablets.

On-demand information obtained from Intelligent Data Portal is

displayed in an integrated view of data, alerts, incidents, personnel and resources and is layered to allow the user to decide what information to display or hide.

Motorola's Professional Services help guide departments through visioning, training and needs assessments. Design and planning will also assist departments in preparation for implementing new technologies such as the Intelligent Data Portal.

50.   In or about 2015, Defendant published a solutions brief entitled "Stay a Step Ahead and Act In Real Time with Instant, Actionable Information" (the "2015 Solutions Brief"). A fair and accurate copy of the 2015 Solutions Brief is included in Ex. F at AC129-AC136. The 2015 Solutions Brief has been made accessible to the public at the website: https://www.motorolasolutions.com/content/dam/msi/docs/products/smart-public-safety-solutions/ilps/ilps-solutions-brief.pdf.

51.   The 2015 Solutions Brief contains the followings statements:

At the heart of our Intelligence Led Public Safety (ILPS) solutions is mid-incident support, providing actionable intelligence to those who need it most – at the moment they need it. Now your responders can approach an incident armed with more operational intelligence than ever before. Leverage inputs from multiple data sources and systems – such as live video, social media, sensors, video analytics, alarms, CAD and records in real-time. Whether it's information provided by a Real-Time Intelligence Client (RIC) operator or a mobile view of the field via Intelligent Data Portal (IDP), the result is more proactive responses and safer outcomes.

IDP is a cloud-based mobile application that gathers location-based information from disparate databases and organizes it on a real-time map for improved situational awareness and strategic planning.

52.   In or about the 2016 to 2017 timeframe, Defendant published a video titled "CommandCentral Inform – Make Faster Decisions in the Field", having a runtime of about two minutes and thirty-one seconds and containing the text "© 2016 Copyright Motorola Solutions, Inc. All rights reserved" on its final screen (the "2016 CommandCentral Inform Video"). A fair and accurate copy of the 2016 CommandCentral Inform Video is included in Ex. P at AC316. The 2016 CommandCentral Inform Video includes both visual and audible content and has been made

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accessible to the public at the website: https://video.motorolasolutions.com/detail/video/5165379

381001/commandcentral-inform---make-faster-decisions-in-the-

field?_ga=2.250615045.2012196412.1655619669-1132632409.1655403082.

53.   Among other things, an audible human voice in the 2016 CommandCentral Inform

Video does make the following statements:

> With CommandCentral Inform make faster data-driven decisions in the field using layered geospatial intelligence easily accessible on your phone, tablet or computer. The common operating picture allows you to visualize public and private data feeds based on the context of the situation you are in and your role. Layers of intelligence can be easily turned on or off to filter what you do and don't need in the moment, aiding in better decision making. Icons on the map can be touched to view critical information like live camera feeds, sensor statuses and more. Zoom in to get a more granular view of locations to know exactly where to go based on where the thread is located. Even enhanced collaboration by acting on your intelligence with integrated tools like tactical white boarding. All event data and associated information is view only and securely transmitted in real time. Ultimately, leading to more successful incident resolution for you and your agency. As the reliance on data becomes more commonplace, better technology is required to better view and understand the information that can increase situational awareness and make the difference on how you can respond to an incident. Make faster data-driven decisions in the field with geospatial intelligence in the palm of your hand from CommandCentral Inform and begin transforming data into safety. For more information, visit Motorolasolutions.com/inform.

54.   On or about February 15, 2016, Defendant directly provided, or authorized

providing to the County of San Mateo, California, a Response to RFI for Computer Aided Dispatch

and Mobile Systems having the text "16-PS-66610" in the bottom left-hand corner of most pages

(the "2016 RFI Response"). A fair and accurate copy of the 2016 RFI Response is included in

Ex. G   at   AC137-AC210.   The   2016   RFI   Response   has   been

accessible to the public at the website: http://www.smc911dispatch.org/gap/Motorola/_COMPLE

TE_SAN-MATEO-RFI_RESPONSE.pdf. Defendant prepared and/or authorized the preparation

of the 2016 RFI Response.

55.   In or about 2017, Defendant published a data sheet having the title "CommandCentral Inform" (the "2017 CommandCentral Inform Data Sheet") and containing the text "© 2017 Motorola Solutions, Inc. All rights reserved. 10-2017" at the bottom of the final page. A fair and accurate copy of the 2017 CommandCentral Inform Data Sheet is included in Ex. H at AC211-AC212. The 2017 CommandCentral Inform Data Sheet has been made accessible to the public at the website: https://www.motorolasolutions.com/content/dam/msi/docs/products/smart-public-safety-solutions/ilps/commandcentral-inform/commandcentral-inform-data-sheet.pdf.

56.   The 2017 CommandCentral Inform Data Sheet contains each of the statements listed below in this paragraph.

> Keep everyone informed and in sync with a map-based common operating picture available anywhere they are, on any device from CommandCentral Inform.

> MONITOR ACTIVITY FROM ANYWHERE View all of your location-based data together, in real-time, on a single map display. This common operating picture can be accessed anywhere, from any internet-connected device.

> ACT WITH THE NECESSARY CONTEXT Filter your view to only the datasets you need in the moment. Access critical event information such as incident reports, video, resource details, sensor statuses and more – directly from the map.

> COLLABORATE WITHOUT DISTRACTION Your common operating picture is "view-only" with specific viewing permissions based on team. This ensures everyone is on the same page, with the information that matters.

> Unified Mapping: See events like CAD incidents and sensor alarms, alongside resource locations like personnel and cameras, visualized on an ESRI-based map that can be customized with any of your agency's other data layers. This view is shared with CommandCentral Aware and can even include data layers from CommandCentral Analytics.

> Desktop & Mobile Accessibility: Work seamlessly from desktop to mobile. CommandCentral Inform is accessible via web browser on any computer as well as from any tablet or smartphone running Android or iOS.

Data Layer Filtering: Each data source can be shown or hidden based on selecting or deselecting it in the data layer panel. This ensures users are seeing only what they need in that moment. Data layers can also be prioritized to ensure certain information takes visual precedence on the map.

Critical Information Display: Information associated with each event or resource on the map can be viewed in the critical information display. This includes things like incident details from a CAD event, video attachments or status readings from a sensor.

Team-Based Permissions: Restrict what personnel see based on what they need to be most effective. This ensures that consistent and relevant information is being referenced from a true common operating picture.

SITUATIONAL INTELLIGENCE FOR YOUR ENTIRE OPERATION CommandCentral Inform provides the consolidated, map-based common operating picture needed to enhance decision-making at any part of your operation. Our CommandCentral Aware application goes a step further to help you better support a response with more robust situational intelligence by integrating that map-based common operating picture with real-time streaming video and native ASTRO® 25 console communications. CommandCentral Aware and CommandCentral Inform are built to work together seamlessly so personnel are collaborating most effectively across your operation, with actionable intelligence.

57.   In or about 2018, Defendant published a datasheet having the title "CommandCentral Aware" (the "2018 CommandCentral Aware Data Sheet") and containing the text "© 2018 Motorola Solutions, Inc. All rights reserved. 07-2018" at the bottom of the final page. A fair and accurate copy of the 2018 CommandCentral Aware Data Sheet is included in Ex. I at AC213-AC214. The 2018 CommandCentral Aware Data Sheet has been made accessible to the public at the website: https://www.motorolasolutions.com/content/dam/msi/docs/products/smart-public-safety-solutions/ilps/commandcentral-aware/commandcentral-aware-data-sheet.pdf.

58.   The 2018 CommandCentral Aware Data Sheet contains each of the statements listed below in this paragraph.

CommandCentral Aware provides a complete operating picture, integrating real-time intelligence remotely in the command center to assist officers in the field. Voice, data and video can be monitored

simultaneously by a single analyst to supervise threats or head off trouble on the streets. Use as a "virtual patrol" or to assist with incident response, CommandCentral Aware has delivered proven results helping agencies improve decision-making and reduce crime.

Consolidate camera feeds, incident information, resource locations and other alerts into a single interface. View information however you prefer: on a map or an activity monitor -- or both -- with related information based on rules you establish that can trigger automated actions based on the situation. Each user can customize the view based on responsibility.

Geospatial Event Mapping: See camera locations, CAD incidents, personnel status and location, open-source data alerts, sensors and more, on a map that can be customized with any of your agency's other data layers.

Activity Monitor: View a real-time feed of alerts and incident occurrences as they populate on the map. Each event can be viewed in detail with information drawn from additional data sources pertaining to that specific event.

Rules Engine: Automate workflows by associating related data together from disparate systems to get a comprehensive picture of the incident or threat occurrence. This can include video sources, related open-source data alerts, a CAD incident, sensor alarms and more.

Unified Voice and Data Communication: Integrate the MCC 7100 IP Dispatch Console to monitor and communicate directly with field personnel. Distribute actionable intelligence by text or multimedia messaging through a smart client.

MONITOR ACTIVITY FROM ANYWHERE WITH COMMAND CENTRAL INFORM This optional module provides a map-based common operating picture from CommandCentral Aware accessed from any Internet-connected device. Users have view-only access to device, events and alert locations based on preset team viewing permissions. Ideal for command staff out in the field to quickly stay informed of the latest intelligence simultaneously with the command center.

59.   On or about April 10, 2019, Defendant published a press release titled "Motorola Solutions Announces Mapping, Analytics Enhancements to CommandCentral Aware Software" (the "April 10, 2019 Press Release"). A fair and accurate copy of the April 10, 2019 Press Release is included in Ex. J at AC215-AC216. The April 10, 2019 Press Release has been made

accessible to the public at the website: https://www.motorolasolutions.com/newsroom/press-releases/motorola-solutions-announces-mapping-analytics-enhancements-to-commandcentr.html.

60.   The April 10, 2019 Press Release repeats the following words attributed to Andrew Sinclair: "CommandCentral Aware enables public safety agencies to have eyes on a scene in seconds and provides critical, actionable information, helping improve safety for both citizens and first responders" and "Public safety agencies can tailor the software to their needs, deploy it quickly via the cloud and take advantage of enhanced security and seamless updates." At the time, Andrew Sinclair was employed by Defendant in the role of Corporate Vice-President and General Manager, Motorola Solutions Software Enterprise.

61.   The April 10, 2019 Press Release contains the following statements:

> The moment a 9-1-1 call is received, the influx of data begins: incident information from the caller, dispatcher notes, location of first responders, historical records, sensor data and more. To bring together and make sense of multiple data sources, Motorola Solutions (NYSE:MSI) today announced enhancements to CommandCentral Aware, its situational awareness application that provides one cohesive view of an incident as it unfolds

> CommandCentral Aware now offers enhanced: . . . Mapping, which provides all location-based data, including incident information from computer-aided dispatch (CAD) systems, in a single map display. Powered by state of the art Environmental Systems Research Institute (Esri)-based technology, this common operating picture can be accessed anywhere, from any internet-connected device. . . . Video and Analytics, which enable real-time access to video feeds near an incident, and video and license plate recognition (LPR) analytics bring a user's attention to key video content. In addition, CommandCentral Aware is integrated with CommandCentral Vault for digital evidence management, simplifying the process of storing relevant video. . . . Sensors and Alerts, which provide the command center with the real-time location and status of first responders, including alerts for weapon drawn, "man down," shots fired, vest pierced and vehicle impact.

62.   In or about the 2020 timeframe, Defendant published a video titled "CommandCentral Aware – Real-Time Situational Intelligence – Quick Demo," having a runtime of about four minutes and thirty-three seconds and displaying the text "© 2020 Copyright Motorola

Solutions, Inc. All rights reserved" beginning at about the four minute twenty-three second mark

(the "2020 CommandCentral Aware Video"). A fair and accurate copy of the 2020

CommandCentral Aware Video is included in Ex. Q at AC317. The 2020 CommandCentral Aware

Video includes both visual and audible content and has been made

accessible to the public at the website: https://www.youtube.com/watch?v=CXmylv3tFCc.

63.   Among other things, an audible human voice in the 2020 CommandCentral Aware

Video makes the following statements:

> In one single application with CommandCentral Aware, you have
> your video assets, you have your mapping assets, you have your
> location in assets, you have your communications. Any third party
> or Motorola solutions you want to bring in, like license plate readers,
> flood sensors, weather, all those things can come straight in.
> Anything that's not Motorola can certainly come into the Command
> Center work platform. It's vendor agnostic to what comes in and
> what we see in many places is sometimes as many as five to eight
> different video management solutions coming in on our large cities
> and states as well. These are your CAD ingestion primarily. . . . You
> have the ability, based on your CAD calls for services to establish
> what you want to see in this filter in the rules engine here. With our
> CommandCentral Aware location services, with your Motorola
> radio system, we can now work with you on the cadence and alerts,
> push to talk, emergency push to talk, to show where your assets are
> at as well. And what's a nice feature too with this is the emergency
> man down, emergency alert notifications as well. If you do ever have
> that worst case scenario, we can actually go in now and breadcrumb
> where those officers have been when they had that and show them,
> as that radio moves, maybe they get out of their car and they're using
> their handheld device. We can actually now see in real time where
> those units are moving. All those alerts and triggers like unusual
> motion detection, area alerts, density, those kind of things, all of
> those alerts that come through your VMS and Avigilon, actually
> now come into CommandCentral Aware as well. One of the
> challenges that we face in public safety is when we have multiple
> VMS. Right? Training, log-in credentials, naming conventions,
> what CommandCentral Aware does is make sure users have one
> single operational view for all those cameras coming in. Any one of
> those cameras that are coming in through those VMSes, if they have
> handheld zoom capability, you can do that straight through a
> CommandCentral Aware. There is no limit to the amount of videos
> you can bring in. Some of our customers like Detroit, New Orleans,
> thousands of cameras starting to come in so you would run multiple
> screens to do that. But on one screen operational view can have up
> to 16 different cameras at one time, depending on your bandwidth.
> Down below that you have your MCC7500. So a full functioning

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radio console as well, if you choose to have that. Some of our customers like to have just a mobile, portable asset right there. But if you want full integration of your LMR capabilities in here as well, you can do that. What we can do now is search to existing databases you may have across that to find what we need to know about their personal information such as their identifiers of height, weight, all those kinds of things, hair color, any recent information they may have in terms of traffic stops, criminal history, open cases, and really important, warrant information or protective order registries or firearms related issues. You have the ability to pin those camera icons onto that floor plan and access those as thinking about an ERG or a SWAT team, special response team, going into an active shooter situation. Even thinking about your schools, as you do partnerships with your schools. What's more important, behind CommandCentral Aware is the actual rules engine that we have to create your alerts and alarms. If you want certain things to happen on certain CAD instance calls for service, you have the ability to go in and create alarms and alerts to notify you audibly, color coding. If you want certain cameras to come up in certain radiuses, we teach you how to set up these alerts and alarms. It's nice to have an integration platform to see all these things, but ultimately, if you want to drive a response and not always rely on the human process, you can create rules to drive how you want that response in terms of notifications, alerts and alarms, notifications in that center and messaging to go out to your customers is really important as well.

VI. INFORM AND AWARE EMBODY THE '817 AND '082 PATENTS CLAIMS

64.   ACI alleges that as deployed, CommandCentral Inform ("INFORM") and CommandCentral Aware ("AWARE") each include all elements of claims 1, 11, 12, 13, and 14 of the '082 patent, and when used, INFORM and AWARE each practice the inventions claimed by each of claims 1, 11, 12, 13, and 14 of the '817 patent. In support, ACI repeats and re-alleges each allegation of the prior paragraphs as though set forth fully in this paragraph. Furthermore, ACI sets forth below in this paragraph Figure 6.F1.

Figure 6.F1
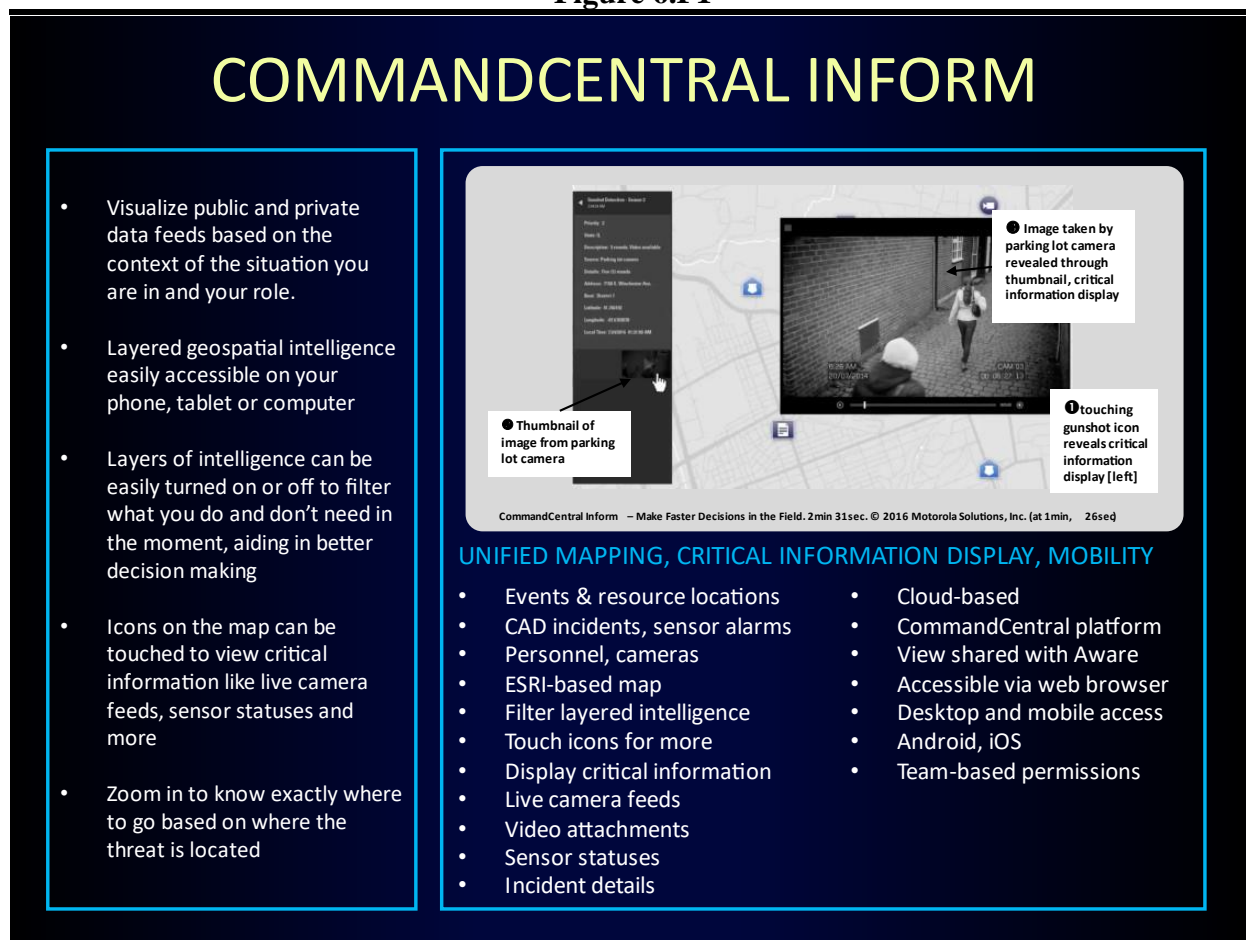
65.   As deployed, INFORM practices claims 1, 11, 12, 13, 14 of the '082 patent and includes all elements recited for each such claim. In use, INFORM practices claims 1, 11, 12, 13, 14 of the '817 patent and all steps recited for each such claim. INFORM is built on the CommandCentral platform. INFORM includes code configured to receive data identifying an event (e.g. device address, type, condition) in an area from at least one source that is monitoring changes in the condition of one or more devices in the area. INFORM includes code configured to determine at least one smartphone, tablet, laptop, or desktop web browser user interface for an officer (i.e. custom device/entity communication destination and method; website link communication method) requiring notification of the event in question. INFORM includes code configured to provide the user interface (i.e. retrieve and dispatch to the communication destination

using the method) with an ERSI-based map (i.e. vector based graphical images) of the area

associated with the event in question. INFORM includes code configured to provide the user

interface with layers of event and resource icons (i.e. superimposed visual indicator) displayed

over the map, including an icon indicating the event in question, icons indicating CAD incidents,

sensor alarms, personnel, cameras or other events and resources in the area of the event in question.

INFORM includes code configured to provide the user interface with images and video from

nearby cameras that can be accessed through touching the icon in question (i.e. hierarchically

organized graphical images). INFORM includes code configured to provide the user interface with

sensor statuses, incident details, text, graphics, and other associated information that can be

revealed through touching displayed in the area of the event in question. Additionally, on

information and belief, INFORM includes code configured to automatically dispatch the above-

described ESRI-based map, event and resource data layers, camera images, and other information

automatically without operator intervention to an officer's user interface when the officer is logged

into INFORM via a web browser. Evidence supporting ACI's allegations include at least Figures

1.F1 and 6.F1 in this Complaint; Exhibits E, F, H, I filed with this Complaint; and the videos

referred to in this Complaint and submitted as Exhibits P and Q.

66.   As deployed, AWARE practices claims 1, 11, 12, 13, 14 of the '082 patent and

includes all elements recited for each such claim. In use, AWARE practices claims 1, 11, 12, 13,

14 of the '817 patent and all steps recited for each such claim. AWARE is built on the

CommandCentral platform. AWARE includes code configured to receive data identifying an event

(e.g. device address, type, condition) in an area from at least one source that is monitoring changes

in the condition of one or more devices in the area. AWARE includes code configured to determine

at least one command center console operator user interface operating in a web browser (i.e.

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custom device/custom entity communication destination and method; website link communication method) requiring notification of the event in question. AWARE includes code configured to provide the user interface (i.e. retrieve and dispatch to the communication destination using the method) with an ERSI-based map (i.e. vector based graphical images) of the area associated with the event in question. AWARE includes code configured to provide the user interface with layers of event and resource icons (i.e. superimposed visual indicator) displayed over the map, including an icon indicating the event in question, icons indicating CAD incidents, sensor alarms, personnel, cameras or other events and resources in the area of the event in question. AWARE includes code configured to provide the user interface with images and video from nearby cameras that can be accessed through touching the icon in question (i.e. hierarchically organized graphical images). AWARE includes code configured to provide the user interface with sensor statuses, incident details, text, graphics, and other associated information that can be revealed through touching displayed in the area of the event in question. Additionally, on information and belief, AWARE includes code configured to automatically dispatch the above-described ESRI-based map, event and resource data layers, camera images, and other information automatically without operator intervention when the command center console is running. Evidence supporting ACI's allegations include at least Figures 1.F1 and 6.F1 in this Complaint; Exhibits E, F, H, I filed with this Complaint; and the videos referred to in this Complaint and submitted as Exhibits P and Q.

VII.   DIRECT INFRINGEMENT

67.   ACI repeats and re-alleges each allegation of the prior paragraphs as though set forth fully herein.

68.   At one or more times since 2016, Defendant has directly infringed at least claims 1, 11, 12, 13, and 14 of the '082 patent by making, selling and offering for sale, and by using (e.g.

operating the service in the cloud for clients) INFORM, in the United States, in violation of 35 U.S.C. § 271(a). In addition, at one or more times since 2016, Defendant has directly infringed at least claims 1, 11, 12, 13, and 14 of the '817 patent by making, selling and offering for sale, or by using (e.g. operating the service in the cloud for clients) INFORM in the United States.

69.   At one or more times since 2016, Defendant has directly infringed at least claims 1, 11, 12, 13, and 14 of the '082 patent by making, selling and offering for sale, and by using (e.g. operating the service in the cloud for clients) AWARE, in the United States, in violation of 35 U.S.C. § 271(a) at one or more times since 2016. In addition, at one or more times since 2016, Defendant has directly infringed at least claims 1, 11, 12, 13, and 14 of the '817 patent by making, selling and offering for sale, or by using (e.g. operating the service in the cloud for clients) AWARE, in the United States.

70.   ACI is entitled to damages adequate to compensate for Defendant's direct infringement in an amount no less than a reasonable royalty for the use made of the invention by Defendant, together with interests and costs as fixed by the Court.

VIII.   INDUCED INFRINGEMENT

71.   ACI repeats and re-alleges each allegation of the prior paragraphs as though set forth fully herein.

72.   On information and belief, at the latest, by the time Defendant is served with this Complaint and accompanying exhibits, including among other things the '082 patent and the '817 patent, Defendant will be on notice of its infringing activities.

73.   Furthermore, on August 7, 2019, in *Applied Cap., Inc. v. ADT Corp.*, No. 1:16-CV-00815, 2019 WL 3719099, *5-6 (D.N.M. Aug. 7, 2019), Hon. Joseph F. Bataillon, Senior United States District Judge, found that (a) "the claims at issue [i.e. the claims of the '817 patent and the

'082 patent] are not directed to an abstract idea"; (b) "[t]he PTO's findings concerning novelty and non-obviousness of the specific combination of features at issue, together with the PTAB's rejection of *inter partes* review, would lead a rational trier of fact to conclude that the claims of the ACI Patents [i.e. the '817 patent and the '082 patent] include an inventive concept that was not well-known or conventional in the art"; and that (c) "[t]he evidence [before the New Mexico district court] indicates that there are concrete improvements in the recited computer technology."

74.   As set forth in this Complaint, for example in ¶¶ 47-63 and Figures 1.F1 and 6.F1, Defendant encourages end-users to use AWARE and INFORM in a way that infringes the '817 patent and '082 patent. If without a license from ACI and in view of the allegations and evidence set forth in this Complaint and the attached exhibits, Defendant continues to support or encourage third-party channel partners in selling or offering to sell or using AWARE or INFORM, then such actions show Defendant actively encouraged infringement, knowing that the acts induced constitute patent infringement, and the encouraging acts actually resulted in direct patent infringement. ACI will suffer harm and is entitled to recover from Defendant the damages sustained as a result.

IX.   PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for entry of judgment against Defendant, such judgment including:

A.   A declaration that Defendant has directly infringed one or more claims of the '817 patent, the '082 patent, or both the '817 and '082 patents, in violation of 35 U.S.C. § 271(a).

B.   A declaration that Defendant has actively induced infringement of one or more claims of the '817 patent, the '082 patent, or both the '817 and '082 patents, in violation of 35 U.S.C. § 271(b).

C.   An award of damages to Plaintiff for Defendant's infringement, in an amount no less than a reasonable royalty.

D.   An award of enhanced damages under 35 U.S.C. § 284 upon proof.

E.   Prejudgment interest in an amount according to proof.

F.   Attorneys' fees and costs as permitted by law.

G.   Such other and further relief as the Court deems just and proper.

X.   JURY DEMAND

ACI hereby demands a trial by jury.

Respectfully Submitted,

August 4, 2022

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